



UNITED STATES
PATENT AND
TRADEMARK OFFICE

DEC - 9 2002

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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In re Application of
Lopez Lastra et al :
Serial No.: 09/214,124 : PETITION DECISION
Filed: March 17, 1999 :
Attorney Docket No.: 017753-109 :
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This is in response to the petition under 37 CFR 1.181, filed October 10, 2002, to withdraw the abandonment of the above identified application based on non-receipt of an Office action.

A review of the file history shows that the examiner mailed an Office action to applicants on January 28, 2002, setting a three month shortened statutory period for reply. Upon failure to receive a reply a Notice of Abandonment was mailed to applicants on August 24, 2002. Applicants state that the Office action was never received and provide statements of non-receipt and docket record evidence which fails to show receipt thereof. In view of applicants' statements and evidence presented, the Notice of Abandonment is hereby withdrawn and the application restored to pending status with the mailing of this decision.

Applicant's petition is **GRANTED**.

The application will be forwarded to the examiner for remailing of the Office action.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703)308-3824 or by facsimile transmission at (703) 308-7230.


John Doll
Director, Technology Center 1600